

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

## CHARLES VERNON,

Plaintiff,

V.

STATE OF WASHINGTON *et al.*,

## Defendants.

Case No. C07-5585RBL

## ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITH PREJUDICE** prior to service for failure to state a claim. **THIS DISMISSAL COUNTS AS A STRIKE PURSUANT TO 28 U.S.C. 1915 (g).**
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley Arnold.

DATED this 21<sup>st</sup> day of December, 2007.

Ronald B. Leighton  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE